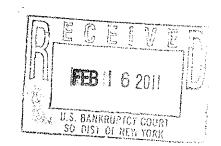
February 8, 2011



### VIA FEDERAL EXPRESS

Hon. Robert E. Gerber United States Bankruptcy Court Southern District of New York Alexander Hamilton Custom House One Bowling Green New York City, NY 10004

> RE: Creditors: Salvatore and Vivian Sciortino Debtor: General Motors Corporation, et al. Claim No. 58688 Motors Liquidation Co., GMC Chapter 11 Case No. 0950026 REG (Pension Benefits of Former Employees)

Dear Judge Gerber:

We are creditors in the bankruptcy proceeding filed by General Motors Corporation ("General Motors"). Our names are Salvatore Sciortino and Vivian Sciortino. I have been also referred to as Sam Sciortino or Samuel Sciortino, in addition to Salvatore Sciortino, in various legal documents. Also, we currently reside together as husband and wife at 461 Chambers Street, Spencerport, New York 14559, and previously resided at 2502 South Union Street, Spencerport, New York 14559.

We are representing ourselves, *pro se*, and request that you file this correspondence as our objection to the recently issued Notice of Debtors 188<sup>th</sup> Omnibus Objection to Claims which response is required by February 22, 2011. Our understanding is that a hearing date has been scheduled before Your Honor for March 1, 2011. We previously submitted a Proof of Claim form and supporting documentation on or around November 23, 2009, a copy of which is enclosed herewith, and have been consistently corresponding with the Court since that time.

Please be advised that I, Salvatore Sciortino, have retired through General Motors and have remained eligible for total and permanent disability as a result of an approved disability claim with General Motors. The disability claim is a result of a work-related injury at the Rochester Products, Inc. plant formerly located on Lee Road in Rochester, New York, which then became Delphi. Following this injury, I have consistently been on an uninterrupted worker's compensation/permanent disability leave.

The purpose of my objection is based upon the ground that General Motors should remain liable for my injury sustained on the job and continue payment of all retirement pension benefits including disability and workers compensation. Said combined benefits should continue uninterrupted until a determination is made by the

Workers Compensation Board with regard to ineligibility and, respectfully, not by any other court or persons. My understanding is that the ERISA Insurance Retirement Pension Protection benefits that are to take affect do not guarantee employment, retirement or disability rights. I respectfully request that this Court not discharge any contract entered into prior to the bankruptcy, specifically my workers compensation, disability, and pension benefit contract, until the disability has been terminated. My case is open, I am receiving disability benefits, and my disability has not terminated whatsoever. I contend that you will agree that any termination should be within the jurisdiction of the Workers Compensation Board of the State of New York and not any other court or persons.

As indicated, I enclose with this letter a copy of my November 23, 2009 correspondence as well as the Proof of Claim and enclosures which indicate that my current monthly pension benefit is a gross amount of \$654.36, and net payment is \$601.36 following deductions. My weekly worker's compensation disability benefits are set at \$135.00 per week. I should be permitted to remain eligible for health care benefits including medical, dental, and vision, and not subject to any termination by the result of the bankruptcy court filing by General Motors. In addition, I have enclosed copies of all of my stock certificates I obtained during my employment with General Motors. All of the workers compensation, disability, and pension benefits should all be honored and not discharged as a result of the bankruptcy filing.

It is for this full value that we hereby object to any discharge, disallowance, or expungement of our legal claims. By copy of this letter correspondence with enclosures to the Garden City Group, Inc., Attention Motorists Liquidation Company Claims Processing, 5151 Blazer Parkway, Suite A, Dublin, Ohio 43017 we are providing the Garden City Group Inc. with notice of our objection as well.

Please contact us if you require any additional information or documentation and we will gladly abide by any Court Order.

Respectfully yours, Salvature Sciontino

Salvatore Sciortino

Vivian Sciortino

Garden City Group, Inc., Attn: Motorists Liquidation Co.

cc:

APS0604632623



PROOF OF	CLAIM

COURT FOR THE SOUTH	EKA DISTRICT OF ARM TOWN	A - Callang
NITED STATES BANKRUPTCY COURT FOR THE SOUTH Name of Debtor (Check Only One):  Motors Liquidation Company (Ek/a General Motors Corporation)  MLCS, LLC (Ek/a Saturn, LLC)  MLCS Distribution Corporation (Ek/a Saturn Distribution Corporatio  MLCS Distribution Corporation (Ek/a Saturn Distribution Corporatio  MLC of Harlem, Inc. (Ek/a Chevrolet-Saturn of Harlem, Inc.)  OTE: This form should not be used to make a claim for an administrative expense arising a  OTE: This form should not be used to make a claim for an administrative expense arising a	09-50026 (REG) 09-50027 (REG) 09-50028 (REG) 09-13558 (REG)	Your Claim is Scheduled As Follows:
or purposes of asserting a claim uniter (Comments)	is for payment of an administrative expense variations	( NON 2 7 2009 ( NO)
Came of Creditor (the person or other entity to whom the debtor owes money or roperty): SALVATGRE SCIORTINO and Vivian Sciortino	☐ Check this box to indicate that this	MN 2 7 2009 18
Vame and address where notices should be sent:	Check this box to indicate that this claim amends a previously filed	
SALVATORE SCIORTINO and Vivian Sciortino	claim.	
461 CHAMBERS ST SEENCERPORT, NY 14659-9788	Court Claim Number:(If known)	
	Filed on:	If an amount is identified above, you have a claim
		scheduled by one of the Deniots as shown trave be an
Telephone number:		amendment to a previously scheduled amount.) It you
Email Address:  Name and address where payment should be sent (if different from above):	Check this box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars.  Check this box if you are the debtor	scheduled by the Debtor, you do not need to file this proof of against the Debtor, you do not need to file this proof of claim form, EXCEPT AS FOLLOWS: If the amount shown is listed as DISPUTED, UNLIQUIDATED, or CONTINGENT, a proof of claim MUST be filed in order to receive any distribution in respect of your claim. If you have already filed a proof of claim in accordance with the attached instructions, you need not
Telephone number:	or trustee in this case.	file again.  5. Amount of Claim Entitled to
2. Basis for Claim: See attached sheet (See instruction #2 on reverse side.)  3. Last four digits of any number by which creditor identifies debtor:  3a. Debtor may have scheduled account as: (See instruction #3a on reverse side.)  4. Secured Claim (See instruction #4 on reverse side.)  Check the appropriate box if your claim is secured by a lien on property or the secured of the secured secured by a lien on property or the secured secured secured by a lien on property or the secured secu	eprincipal amount of claim. Attach shares of stock (value).  158 (pension) 344 (work. comp.) tock (additional value)	Priority under 11 U.S.C. § 507(a). If any portion of your claim falls in one of the following categories, check the hox and state the amount.  Specify the priority of the claim.  Domestic support obligations under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B). Wages, salaries, or commissions (up to \$10,950*) earned within 180 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier - 11 U.S.C. § 507(a)(4).
information.  Nature of property or right of setoff:   Real Estate   Motor Vi  Describe:	ehicle 🚨 Equipment 🚨 Other	plan - 11 U.S.C. § 507(a)(5).  Up to \$2,425* of deposits toward purchase, lease, or rental of property
Annual Interest Rate %		or services for personal, family, or household use 11 U.S.C.
Amount of arrearage and other charges as of time case filed included i	n secured claim, if any: \$	§ 507(a)(7).
Basis for perfection:		Taxes or penalties owed to governmental units - 11 U.S.C.
Amount of Secured Claim: \$ Amount Unsecure	d; \$	\$ 507(a)(8).
6. Credits: The amount of all payments on this claim has been credited for the contents. Attach reducted copies of any documents that support the claim reducted statements or running accounts, contracts, judgment you may also attach a summary. Attach reducted copies of documents provid a security interest. You may also attach a summary. (See instruction 2 and details)	the purpose of making this proof of claim.  sim, such as promissory notes, purchase tts, mortgages, and security agreements.	□ Value of goods received by the Debtor within 20 days before the date of commencement of the case - 11 U.S.C. § 503(b)(9) (8 507(a)(2)) □ Other Specify applicable paragraph of 11 U.S.C. § 507(a)(). Amount entitled to priority:
DO NOT SEND ORIGINAL DOCUMENTS. AFFACHED DOCUMENTS	MAY BE DESTROYED AFTER	, 16,807.32 plus ato
SCANMING.		5 16,807.32 plus sto • (mounts are subject to adjustment on value 4-1.10 and every 3 years thereafter with respect to cases commenced on or after
If the documents are not available, please explain in an attachment.		the date of adjustment.
Date:  11/23/09  Signature: The person filing this claim must sign it. other person authorized to file this claim and state add address above. Attach copy of gower of automet. If an Salvatore Scientino		
Sarvarore actions in		

November 23, 2009

United States Bankruptcy Court Southern District of New York Alexander Hamilton Custom House One Bowling Green, NYC 10004-10601

> RE: Creditors: Salvatore and Vivian Sciortino Debtor: General Motors Corporation, et al.

Dear Bankruptcy Court Judge or Clerk of the Court:

We are creditors in the bankruptcy proceeding filed by General Motors Corporation ("General Motors"). Our names are Salvatore Sciortino and Vivian Sciortino. I have been also referred to as Sam Sciortino or Samuel Sciortino, in addition to Salvatore Sciortino, in various legal documents. Also, we currently reside together as husband and wife at 461 Chambers Street, Spencerport, New York 14559, and previously resided at 2502 South Union Street, Spencerport, New York 14559. We provide this additional information in the event there are various legal documents with a former address from our current address.

Initially, at this time, we are representing ourselves, *pro se*. However, we understand that our son, Michael A. Sciortino, Esq., of the law firm of ChamberlainD'Amanda in Rochester, New York, has made an application to be admitted *Pro Hac Vice*, and we respectfully ask the Court to grant the application to then continue with the representation of us in the United States Bankruptcy Court with regard to this matter.

Second, we submit this statement in addition to the Proof of Claim form and all other supporting documentation attached to the form and request that the Court accept this statement in addition to the Proof of Claim and supporting documentation.

Please be advised that I, Salvatore Sciortino, have retired through General Motors and have remained eligible for total and permanent disability as a result of an approved disability claim with General Motors. My current monthly pension benefit is a gross amount of \$654.36, and net payment of \$601.36 following deductions. I am also on workers compensation disability benefits and my weekly benefits are set at \$135.00 per week. The workers compensation claim is through Sedgwick Claims Management Services, Inc. which maintains an address of P.O. Box 69, Southfield, MI. 48037-0069. It is my position that I be permitted to remain eligible for health care benefits including medical, dental,

and vision, and not subject to any termination by the result of the bankruptcy court filing by General Motors. I have also submitted the total amount that I receive annually as a result of the disability and workers compensation. Specifically, it is an annual amount of \$14, 332.32, a monthly amount of \$1,094.36.

It is my position that both of these benefits should be extended and paid through the bankruptcy proceeding in addition to the dental service which I have attached which was not paid as a result. The total amount for dental services provided to me was \$2,475.00. I am also seeking payment of that claim as well.

I wish the Court to know that I have been a laborer my entire life reporting to work on a timely basis and performing all duties required of me. Specifically I worked at Rochester Products Inc. on Lee Road in Rochester, New York, which then became Delphi. Throughout my entire working career, my labor position required me to lift heavy boxes containing carburetors and canisters which were then used on the line by me and others in building these carburetors to be used in vehicles. This was hard work, and I was proud of my job and my work. Unfortunately, it seems as though I have lost my employment rights, specifically, the right to return to work, as I have not been permitted to perform even a light duty job within my restrictions. I have been disabled for many years and can substantiate this disability through the medical records submitted to the Worker's Compensation Board.

With regard to my claim, and that of my wife, Vivian Sciortino, as a Joint Tenant with a Right of Survivorship, for the par value of the issued shares of stock, to us, I enclose the following stock certificates:

- 1. General Motors Stock No. NE402-603 consisting of fifty (50) fully paid and non-assessable shares of the par value of one and two-thirds dollars (\$12/3) each of the common stock, issued to Vivian Sciortino and Sam Sciortino as Joint Tenants with Right of Survivorship and not as Tenants in Common, on February 8, 1968, and registered with Chase Manhattan Bank;
- 2. General Motors Stock No. NX330285 (Account No.: 17094-58256 and CUSIP No.: 370442 10 5) consisting of fifty (50) fully paid and non-assessable shares of the par value of one and two-thirds dollars (\$1 2/3) each of the common stock, issued to Vivian Sciortino and Sam Sciortino as Joint Tenants, on March 31, 1989, and registered with Morgan Shareholder Services Trust Company; and,
- 3. General Motors Stock No. NX944523 (Account No.: 58001 069-40-9190 and CUSIP No.: 370442 10 5) consisting of thirty (30) shares fully paid and non-assessable shares of the par value of one and two-thirds dollars (\$1 2/3) each of the common stock, issued to Salvatore Sciortino, on May 17, 1989, and registered with Morgan Shareholder Services Trust Company.

The itemized stock certificates are all submitted in addition to the other documentation referenced above, all in support of our Proof of Claim form.

Please contact us if you require any additional information or documentation and we will gladly abide by any court order.

Very truly yours, Salvator Saistins

Salvatore Sciortino

Vivian Scientino

cc: Michael A. Sciortino, Esq.

09-50026-mg Doc 9284 Filed 02/16/11 Entered 02/17/11 15:05:32 Main Document Pg 7 of 13

Sedgwick Claims Management Services, Inc PO Box 69 Southfield, MI 48037-0069

DATE	CHECK AMT	CHECK NO.
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SALVATORE SCIORTINO

461 CHAMBERS ST SPENCERPORT NY 14559

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SCIERTING, SALVATORE Amt Paid: 135.00 Description: Dates: 09/14/2009 - 09/20/2009 Comment:	09/20/1981 81 Perm. Partial-Un	18119334-0001 01 scheduled	
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3-post 1-RM (02-28-01)



# Explanation of Benefits (THIS IS NOT A BILL)

#### www.deitadentalmi.com

Patient Name:

**SALVATORE SCIORTINO** 

Date of Birth:

03/30/1943

Relationship:

SUBSCRIBER

Subscriber:

SALVATORE SCIORTINO

Business/Dentist:

MAHENDRA S VORA

License No.:

36975 / NY (NPI: 1447351341)

Check No.:

issue Date:

09/08/2009

Receipt Date:

08/19/2009

Claim No.:

0908283109031

GO GREEN! A NEW CONSUMER TOOLKIT FEATURE ALLOWS YOU TO STOP DELIVERY OF PAPER EXPLANATION OF BENEFITS (EOB) STATEMENTS AND INSTEAD VIEW AND PRINT EOB'S ONLINE. ONCE ENROLLED, EMAILS WILL BE Pay To: C = Custodial Park WWW.DELTADENTALHI.COM/CONSUMERTOOLKIT AND SIGN UP TODAY!

Area/Tooth	Date of	Procedure	Submitted	Ţ	T					: = Subscribe : = Provider	Ť
Code/Surface	Service : 5470	Description	Amount	Maximum Approved Fee	Par Dentist Savings	Allowed Amount	<u>Deductible / Patient</u> Co-Pay / Office Visits	′	Payment	Patient Payment	T
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FOR INQUIRIES: 1-800-524-0149

CLAIMS PROCESSED BY: **DELTA DENTAL** P.O. BOX 30416 LANSING, MI 48909-7916

Payment for these services is determined in accordance with the specific terms of your dental plan and/or Delta Cental's agreements with its participating dentists. For inquiries regarding participating dentists, please call the number listed. Defta Dental's payment decisions do not qualify as dental or medical advice. You must make all decisions about the desirability or necessity of dental procedures and services with your dentist.

If your claim was denied in whole or in part so that you must pay some amount of the claim, upon a written request and free of charge, we will provide you with a copy of any internal rule, guideline or protocol or, if applicable, an explanation of the scientific or clinical judgment relied upon in deciding your claim, if you still believe your claim should have been paid in full, you may ask to have the claim reviewed. Your written request for a formal review must be sent within 180 days of your receipt of this EOB to the address listed. You may submit any additional materials you believe support your claim. A decision will be made no later than 60 days from the date we receive your request. If your claim is denied in whole or in part after the review, you have the right to seek to have your claim paid by filing a civil action in court within one year from the final denial,

000000000594

**SALVATORE SCIORTINO 481 CHAMBERS ST** SPENCERPORT, NY 14559-9788 ANTI-FRAUD TOLL-FREE HOTLINE 1-800-524-0147

Insurance fraud significantly increases the cost of health care. If you are aware of any false information submitted to Delta Dental, you can help us lower these costs by calling our toll-free hotline. You do not need to identify yourself. Only ANTI-FRAUD calls can be accepted on this line.

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## **GM HOURLY PENSION PLAN**

Payment Type: Check Number: Check Date: Installment 00407731158 October 1, 2009

Funding Breakdown
HOURLY PENSION PLAN

\$654.36

#### **SALVATORE SCIORTINO**

Questions? Please call 1-800-489-4648

Current	Year to Date
\$654.36	\$7,077.00
\$0.00	\$533.40
\$0.00	\$11.00
\$2.00	\$20.00
	\$654.36 \$0.00 \$0.00

Description	Current	Year to Date
TAXABLE	\$654.36	\$6,543,60
MEDICAL COVERAGE	\$11.00	\$22.00
RECOVERY OF SAT BEN	\$40.00	\$400.00
NET PAYMENT	\$601.36	\$6,624.00

Did you know that you can now view and update your pension payment information online? Go to (gmbenefits.com) to view your pension payment istory, change direct deposit elections and change federal and state withholding, where allowed by law. This service is not available to alternate payees under QDRO arrangements, or surviving spouses and beneficiaries receiving payments.

09-50026-mg Doc 9284 Filed 02/16/11 Entered 02/17/11 15:05:32 Main Document Pg 10 of 13

Sedgwick Claims Management Services, Inc. PO Box 69
Southfield, MI 48037-0069

 DATE
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TAX ID\_

SALVATORE SCIORTINO

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SALVATORE SCIORTINO
461 CHAMBERS ST
SPENCERPORT NY 14559

Claimant Name Loss Date Claim Number SSN

SCIORTINO, SALVATORE

09/20/1984 8118119334-0001-01

Amt Paid: 135.00 Description: Perm. Partial-Unscheduled

Dates: 05/25/2009 - 05/31/2009 Comment:

E1991 FRM (02-28-01)

